

REMARKS

Claims 1-4 are the claims currently pending in the Application.

Rejection of Claims 1-4 under 35 U.S.C. § 102

Claims 1-4 are rejected under 35 U.S.C. § 102 as being anticipated by Rover, GB Patent No. 2,335,002. This rejection is traversed

Among the problems recognized and solved by Applicant's claimed invention is that of handling third party interrogations or queries regarding a location or position of a data carrier, such as a data carrier on board a vehicle, by an information unit that may be remote from the data carrier.¹ According to an aspect of Applicant's claimed invention, the information unit transmits area information to the data carrier.

For at least the following reasons, Applicant's claimed invention is neither anticipated by nor obvious from the cited reference. By way of example, independent claims 1 and 3 require an information unit transmitting area information to the data carrier.

Rover discloses a security system that disables a vehicle when the vehicle travels out of the zones that are permitted for the vehicle (Rover, Abstract); such that the navigation system and memory onboard the vehicle store maps that delineate permitted zones for the vehicle (Rover, page 5, lines 3-13), determine whether based on the current position of the vehicle detected, the vehicle remains in the permitted zones, and disables the vehicle (when safe to do so) and optionally communicates to remote station 30 when the vehicle has been found to be moved out of the permitted zones (Rover, page 7, lines 1-23).

¹ The present discussion illustrates aspects of Applicant's claimed invention. Applicant does not represent that every embodiment of Applicant's claimed invention necessarily solves problems herein identified or performs or embodies solutions herein discussed.

Rover does not disclose or suggest an information unit that transmits area information to the data carrier, as *inter alia* required by independent claims 1 and 3. As discussed, Rover discloses that the memory connected to the navigation system onboard the vehicle stores maps that delineate the permitted zones for the vehicle. Therefore, Rover does not disclose or suggest the recitations of independent claims 1 and 3.

In fact, Rover does not even remotely disclose or suggest the recitations of Applicant's claimed invention, because Rover does not identify or suggest the problems recognized by Applicant's claimed invention (for example, see discussion above). By way of example, Rover does not disclose or suggest that an information unit transmits area information to the data carrier.

Further, Rover does not disclose or suggest that the data carrier transmits its position to the information unit in case of initialization. The Examiner states that such a transmission would have been inherent because "the carrier must transmit its position in the case of initialization so as to inform the information unit where the data carrier is originally located" (Office Action, page 3).

In order to deem a feature "inherent", the cited reference must necessarily include the feature. Applicant respectfully submits that the Examiner seems to have misinterpreted the teachings of Rover, since as discussed Rover discloses that informing the information unit that the vehicle is out of a permissible zone is optional. That is, Rover discloses that the navigation system onboard the vehicle both accesses the onboard memory to determine the permissible zones and determines whether the vehicle is currently in a permissible zone. Accordingly, Rover does not disclose or suggest that the data carrier transmits its position to the information unit in case of initialization.

Therefore, Rover does not disclose or suggest the recitations of independent claims 1 and 3. Claims 3 and 4 depend from independent claims 1 and 3, respectively, and thus incorporate novel and non-obvious features thereof. Therefore, claims 2 and 4 are patentably distinguishable of the prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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